

The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing.

Applicant is given a TWO MONTH time period to submit a drawing in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a). Failure to timely submit a drawing will result in **ABANDONMENT** of the application.

Applicant has elected Specie A: claim 2 for which no drawing is present in this application.

The submission of Fig. 7 and the submission of amendments to the specification are new matter. These amendments discuss and depict for a first time the existence of a hinge and provide details of a specific type of hinge. The electronic component is discussed as being “embedded” for a first time. These amendments introduce new matter. Please cancel these amendments during the next response. Re Fig. 7 filed 7-16-10 the circular profile of the cap is shown and a specific location of the electronic component is shown.

Applicant states that claim 3 is generic. Applicant is required to submit reasoning for selecting claim 3 when the lack of unity requirement mailed January 19, 2010 specifically stated that claim 3 was particular to Specie B. Claim 2 is supported in the written specification only at paragraph [15] which states that the tube head includes an electronic component placed in the thickness of the shoulder or in that of the cap. Claim 3 will not be examined until sufficient reasoning is submitted. Re applicant’s remarks with regard to claim 3, applicant no longer list claim 3 as a generic claim. However, applicant has not provided claim 3 with a withdrawn status identifier.

Re WO 0208079, it is not understood how the reference to a document allows applicant the ability to capture it's contents as original information for establishing the originally filed subject matter of the present invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to /Stephen J. Castellano/ whose telephone number is 571-272-4535. The examiner can normally be reached on increased flexibility plan (IFP).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony D. Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen J. Castellano/
Primary Examiner
Art Unit 3781

sjc